

REMARKS

Claim 1 has been amended to delete a redundant “period” at the end of the claim; claim 2 has been amended to correct a typographic error, and claim 4 has been amended to correct an antecedence error. Because the changes are all formal in nature, they do not involve “new matter.”

Reconsideration of the rejection of claims 1-8 under 35 USC §103(a) in view of U.S. Patent No. 6,411,281 (Sasselli) is respectfully requested on the grounds that the Sasselli patent fails to disclose or suggest a power supply module, as originally claimed, that:

- a. carries a battery;
- b. is arranged to be inserted into an opening in the body in order to supply power from the battery to the pointing device; and
- c. is arranged to be drawn out from the opening for replacement of the battery.

The invention simplifies battery insertion and replacement by providing a removable module that contains the batteries. In contrast, in the pointing device of Sasselli, in order to insert batteries 22, it is necessary to remove cover 26 and then insert batteries 22 into cavities 24 fixed in the housing 18.

More specifically, in the pointing device of Sasselli, batteries 22 are inserted into cavities 24, as explained in col. 2, line 37. A front end of the cavities 24 lies over the mouse ball, as a result of which “*instead of the batteries being underneath the mouse behind or in front of the mouse ball, they are mounted on top and over the ball, adding their weight to the mouse in the area around the mouse ball*” (col. 2, lines 38-41). This is said to serve multiple purposes, including leaving more space for multiple components, and shifting the center of gravity of the mouse over the ball, as explained in col. 1, lines 47-56. Nowhere does Sasselli even remotely disclose that the cavities 24 that house the batteries are part of a power-supply module arranged

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to be inserted into and removed from an opening as claimed. Instead, the cavities 24 are clearly fixed in the housing 18.

According to the Examiner, battery 22, cover 26, and cavities 24 are part of a power supply module to be inserted into the opening for replacement of the battery. **This interpretation of elements 22, 26, and 24 of Sasselli makes no sense.** As noted above, cavities 24 are merely battery-receiving compartments fixed in the housing 18. They are not part of a removable module that can be inserted into or removed from the housing. Further, batteries 22 are inserted into and removed from cavities 24, and therefore batteries 22 and cavities 24 cannot logically be considered to form a battery-containing “module” of the type claimed. Still further, cover 26 does not form any part of a power-supply module, as claimed, since it is removable separately from the batteries, in order to permit insertion of batteries 22 into cavities 24. ***It is not logical or reasonable to interpret cavities 24 of housing 18, batteries 22, and cover 26 as a removable power-supply module of the type claimed.***

Finally, according to the Examiner, element 18 of Sasselli corresponds to the claimed opening into which the power supply module is inserted, and from which the power supply module is withdrawn. However, element 18 of Sasselli is not an opening. It is merely the upper housing. According to lines 32-33 in col. 2 of the Sasselli patent, “*Inbetween the buttons is a roller 16 protruding through an opening in the upper housing 18.*” Thus, Sasselli teaches a housing 18 that includes an opening for a roller. This has absolutely nothing to do with the claimed “opening,” which is not for a roller, but rather is for receiving a power-supply module that contains batteries.

Basically, the Sasselli patent does not teach ***any*** feature of the claimed invention. Instead, it simply teaches the prior art described in Applicant’s specification. Further, Sasselli does not teach the flange and groove of claim 3, or the fixing device of claim 4, the hook and recess of claim 5, since Sasselli does not teach a module requiring fixing in the housing 18. The alleged

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fixing device 28 identified by the Examiner does not fix a power-supply module in the housing, but rather fixes the cover 26, which is clearly not a power supply module, on the housing.

In the Official Action, the Examiner states that “*However, Sasselli et al. does not disclose that the power-supply module is arranged to carry at least one battery. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the power-supply module could be arranged to carry at least one battery because the cavities 24 could carry the batteries 22.*” This statement is illogical for several reasons.

First, the Sasselli patent clearly discloses that cavities 24 in fact are arranged to carry batteries 22, so it makes no sense for the Examiner to state that having the cavities 24 carry batteries 22 is “obvious” because the cavities 24 *could* carry batteries 22. In fact, the cavities 24 do carry batteries 22. However, the fact that cavities 24 carry batteries 22 does not render the claimed invention obvious because cavities 24 are not part of a removable module.

Second, the Examiner states that the removable module is considered to comprise cavities 24 (which are not removable), batteries 22 (which are removable but not as part of a module), and cover 26 (which is separately removable, but does not contain any batteries). If the batteries are considered to be part of the removable module, how can they be contained therein? If they are contained in the removable module, then what is the removable module? Only the batteries are removable from the housing—cavities 24 are not removable and cannot be considered to form a removable module. **The Examiner’s interpretations of the various elements of Sasselli bear no relation to the actual descriptions thereof, and are not even consistent from one sentence to the next.**

In summary, since the Sasselli patent merely discloses, as explained on page 1 of the present specification, “*a wireless mouse where a battery compartment is located on the top housing of the mouse,*” the batteries being “*accessed by removing a top cover from the top housing,*” it is respectfully submitted that the Sasselli patent neither discloses nor suggests the

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claimed invention, which involves a removable power-supply module rather than a battery compartment accessed by a top cover, and therefore withdrawal of the rejection of claims 1-8 under 35 USC §103(a) is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, withdrawal of the rejections and expedited passage of the application to issue is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to be 'B. E. Urcia', with a long horizontal flourish extending to the right.

By: BENJAMIN E. URCIA
Registration No. 33,805

Date: December 7, 2005

BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, Virginia 22314

Telephone: (703) 683-0500

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